



Environmental Planning Commission

***Agenda Number: 2
Project Number: 1007872
Case Number(s): 09EPC-40057
November 19, 2009***

Staff Report

<i>Agent</i>	Stantec Architecture Inc/Jay Baptista
<i>Applicant</i>	Ultimate Electronics
<i>Request(s)</i>	Amend Site Development Plan for Building Permit
<i>Legal Description</i>	3A-1, Pavilion at San Mateo
<i>Location</i>	Cutler Avenue, between Washington Street and San Mateo Boulevard
<i>Size</i>	Approximately 9.4 acres
<i>Existing Zoning</i>	C-2 & C-3
<i>Proposed Zoning</i>	Same

Staff Recommendation

APPROVAL of 09EPC 40057, based on the Findings beginning on Page 6, and subject to the Conditions of Approval beginning on Page 7.

Staff Planner

Randall Falkner, Planner

Summary of Analysis

This is a request to amend a site development plan for building permit of approximately 9.4 acres located on Cutler Avenue, between Washington Street and San Mateo Boulevard. The site comprises Tract 3A-1, Pavilion at San Mateo. The applicant intends to add building signage to the southeasterly wall of Suite D. The proposed building-mounted sign is located above the existing loading dock area, allowing for greater visibility from the adjacent Interstate 40.

The applicant has adequately justified the request to amend a site development plan for building permit, based on applicable policies found in the Comprehensive Plan. Staff is recommending approval with conditions.

Location Map (3" x 3")

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	C-2, C-3	Established Urban	Commercial
North	C-2, C-3	Established Urban	Office, Warehousing & Storage, Commercial, Parking, Manufacturing
South	SU-1 Synagogue & Rel. Fac. & Off-Premise Sign, SU-1 Office Complex, SU-1 Recreational Facility & O-1 Uses, O-1	Established Urban	Drainage, Public Facility, Office, Vacant
East	C-2	Established Urban	Commercial
West	C-3	Established Urban	Commercial

Background

This is a request to amend a site development plan for building permit of approximately 9.4 acres located on Cutler Avenue, between Washington Street and San Mateo Boulevard. The site comprises Tract 3A-1, Pavilion at San Mateo. The applicant intends to add building signage to the southeasterly wall of Suite D. The proposed building-mounted sign is located above the existing loading dock area, allowing for greater visibility from the adjacent Interstate 40.

History

On September 22, 1995, the EPC approved a site development plan (Z-95-92) for the existing site. On August 28, 2009, an Administrative Amendment, (09AA10096) was approved. The Administrative Amendment revised the façade design and replaced the signage for the previous tenant with that of the proposed tenant.

Context

The subject site is entirely commercial. To the north of the site are a variety of land uses including office, commercial, parking, warehouse and storage, and manufacturing. To the south of the site is Interstate-40, and the following land uses: drainage, public facility, office, and vacant land. To the east and west is commercial.

Long Range Roadway System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates San Mateo as a Limited-Access Principal arterial, with a right-of-way of 156'.

The Long Range Roadway System designates Washington Street as a Collector street, with a right-of-way of 68'.

Cutler Avenue is a local street.

I-40 is an existing Urban Interstate.

There is a proposed bicycle lane on Cutler Avenue, and an existing bicycle lane on Washington Street.

Bus route 140/141 (San Mateo) runs along San Mateo east of the subject site. The nearest bus stop is along San Mateo just north of Cutler Avenue.

San Mateo is classified as an enhanced transit corridor. I-40 is classified as an express corridor.

Public Facilities/Community Services

Public facilities/community services include the following: Baldwin Park/Lobo Little League, Netherwood Park, Altura Park, Worker's Memorial Park, Alvarado Park, Bel-Air Park, Quigley Park, Kiva Park, Freedom High School & New Futures, Zuni Elementary School, Bel-Air Elementary School, and Embudo Arroyo Channel.

ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The existing zoning is C-2 & C-3. C-2 zoning provides suitable uses for offices, for most service and commercial activities, and for certain specified institutional uses. C-3 zoning provides suitable sites for C-2 uses, wholesale commercial uses, and some light industrial uses which cause no vibration discernible beyond the premises.

The site development plan (Z-95-92) that was approved in 1995 stated that the building mounted signage area was limited to 6% of the elevation to which it is applied. However, the existing zoning and the zoning at the time the site plan was approved in 1995 was C-2 & C-3 zoning. According to the Zoning Enforcement Officer the C-2 & C-3 zoning would apply in this case. Therefore, the 15% building-mounted signage requirement would apply instead of the 6% requirement.

Section 14-16-2-17(A)(10)(c)(2)(a) of the Zoning Code states the following: "A building-mounted sign on premises or joint sign premises where there is no free-standing on- or off-premise sign shall not exceed the following:

iii. Thirty percent of the area of the façade to which it is applied, if the sign area is wholly visible from an abutting arterial street or freeway."

Section 14-16-2-17(A)(10)(c)(2)(b) of the Zoning Code states the following: "A building-mounted sign on premises or joint sign premises where there is a free-standing or projecting on-

or off-premise sign shall not exceed one-half the percentage of façade area listed in division a. above.”

The proposed building-mounted sign would be wholly visible from an abutting freeway (I-40), and there are free-standing signs on the site, so the percentage allowed for building-mounted sign would be 15%.

Sign Area is defined in Section 14-16-1-15 of the Zoning Code: “Sign area for building-mounted signs, except project signs, means the area enclosed with a sign border, or the sum of the areas of the minimum imaginary rectangles enclosing each word or non-verbal symbol if there is no sign border.”

Zoning Code services is interpreting this to mean that the measurement of the sign is measured from sign border to sign border (22’ x 10’ 6”), since it is different than the brick background on the façade. The total square footage of the sign is 231’ square feet, which is more (30%) than the 15% allowed. There are conditions on page 7 of this report that address this violation.

Albuquerque / Bernalillo County Comprehensive Plan

Policy Citations are in Regular Text; *Staff Analysis is in Bold Italics*

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment. Applicable policies include:

Policy II.B.5d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The building mounted signage is limited to 15% of the area of the façade. The proposed signage area of 30% does not meet the 15% maximum building-mounted signage allowed at this site. The orientation of the proposed sign is directed primarily for westbound I-40 traffic, and does not directly face any residential neighborhoods or negatively impact any natural environmental conditions or scenic resources. The request does not further Policy II.B.5d.

Policy II.B.5l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

The request for additional signage is a quality design which is appropriate to the Plan area. The request furthers Policy II.B.5l.

Policy II.B.5m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

The request does not necessarily improve the quality of the visual environment; however, neither does it restrict any existing unique vistas or act as a detriment to the visual environment. The request partially furthers Policy II.B.5m.

Economic Development-

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy II.D.6a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

Policy II.D.6b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

Policy II.D.6c: Opportunities for improvement in occupational skills and advancement shall be encouraged.

The request for additional signage would aid in revitalizing the Pavilions Shopping Center. The applicant would be the anchor tenant, and the request would help to increase retail traffic for the applicant and other tenants. Employment opportunities with a wide range of occupational skills and salary levels would be available to the public. The request would help to develop both local businesses enterprises as well as recruit outside firms. The request would provide opportunities for improvement in occupational skills and advancement with the proposed business as well as other tenants in the Pavilions Shopping Center. The request furthers Policies II.D.6a, b, and c.

ANALYSIS OF SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Site Plan Layout / Configuration

The site development plan for subdivision is a site of approximately 9.4 acres and is identified as Tract 3A-1, Pavilion at San Mateo. Since the applicant is only asking for an amendment to the signage to an existing building, staff comments in this section will be limited to signage.

Signage

The applicant intends to add signage to the southeasterly wall of Suite D. The proposed building-mounted sign would be located above the existing loading dock area, allowing for greater visibility from the adjacent Interstate 40. The proposed additional signage area of 30% does not meet the 15% maximum signage allowed based upon the C-2 zoning. However, if the applicant were to change the background of the sign with a design that matches the façade, then the proposed additional signage area would be 14.6%, which would meet the 15% maximum signage allowed based upon the C-2 zoning. The applicant also must lower the sign so it does not exceed 30 feet. The current sign (measured from finish grade) is 35 feet tall.

CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

City Departments and other interested agencies reviewed this application from 10/5/2009 to 10/16/2009. Agency comments begin on page 9.

NEIGHBORHOOD/PUBLIC CONCERNS

The Neighborhood Associations in the area include Altura Addition N.A., Alvarado Park N.A., and District 7 Coalition of N.A.'s. A facilitated meeting was held on October 28, 2009 at the Highland Senior Citizen Center. The neighbors and the agent had a difference of opinion regarding how the signs should be measured to assess percentage of the façade.

CONCLUSIONS

This is a request to amend a site development plan for building permit of approximately 9.4 acres located on Cutler Avenue, between Washington Street and San Mateo Boulevard. The site comprises Tract 3A-1, Pavilion at San Mateo. The applicant intends to add building signage to the southeasterly wall of Suite D. The proposed building-mounted sign is located above the existing loading dock area, allowing for greater visibility from the adjacent Interstate 40.

The applicant has adequately justified the request to amend a site development plan for building permit, based on applicable policies found in the Comprehensive Plan. Staff is recommending approval with conditions.

FINDINGS – 09EPC 40057, 11/19/2009, Amend Site Development Plan for Building Permit

1. This is a request to amend a site development plan for building permit of approximately 9.4 acres located for Tract 3A-1, Pavilion at San Mateo.
2. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
3. The subject site is within the area designated Established Urban by the Comprehensive Plan.
4. The following Comprehensive Plan policies for Developing and Established Urban Areas are supported by the proposal.
 - a. Policy II.B.5l – The request for additional signage is a quality design which is appropriate to the Plan area.
 - b. Policy II.B.5m – The request does not necessarily improve the quality of the visual environment; however, neither does it restrict any existing unique vistas or act as a detriment to the visual environment. This policy is partially furthered.
5. The request supports Economic Development Policies II.D.6a, II.D.6b, and II.D.6c of the Comprehensive Plan. The request for additional signage would aid in revitalizing the Pavilions Shopping Center. The applicant would be the anchor tenant, and the request would help to increase retail traffic for the applicant and other tenants. Employment opportunities with a wide range of occupational skills and salary levels would be available to the public. The request would help to develop both local businesses enterprises as well as recruit outside firms. The request would provide opportunities for improvement in occupational skills and advancement with the proposed business as well as other tenants in the Pavilions Shopping Center.
6. Conditions of approval are necessary to alter the signage/wall design to bring it into compliance with the Zoning Code.
7. A facilitated meeting was held on October 28, 2009 at the Highland Senior Citizen Center. The neighbors and the agent had a difference of opinion regarding how the signs should be measured to assess percentage of the façade.
8. The Altura Addition Neighborhood Association and District 7 Coalition have concerns about the signage, have not stated that they are opposed to the request.

RECOMMENDATION - 09EPC 40057, 11/19/2009, Amend Site Development Plan for Building Permit

APPROVAL of 09EPC 40057, an amendment to the site development plan for building permit, for Tract 3A-1, Pavilion at San Mateo, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 09EPC 40057, 11/19/2009, Amend Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
 2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
 3. The raised parapet behind the sign (not the individual letters) shall match the brick façade (this will allow the signage, the individual letters, to be 14.6%, which would meet the 15% maximum signage allowed based upon the C-2 zoning).
 4. The applicant also must lower the individual sign letters so they do not exceed 30 feet. The raised parapet behind the sign must remain at 35 feet tall (measured from finish grade) in order for the sign to be in compliance with the 15% sign requirement.
-

Randall Falkner
Planner

cc: Troy Griffin, Ultimate Electronics, 321 W. 84th Ave., Suite A, Thornton, CO 80260
Jay Batista, Stantec Architecture Inc., 1187 N. McDowell Blvd. Petaluma, CA 94954
Kevin McCoy, Altura Park N.A., 4138 Coe Dr. NE, Albuquerque, NM 87110
Margaret Matteucci, Altura Park N.A., 4128 Coe Dr. NE, Albuquerque, NM 87110
Bill Sterchi, Alvarado Park N.A., 5607 Princess Jeanne NE, Albuquerque, NM 87110
Natasha Carty, Alvarado Park N.A., 5907 Princess Jeanne NE, Albuquerque, NM 87110
Bill Hoch, District 7 Coalition of N.A.'s, 813 Calle Del Corte NE, Albuquerque, NM 87110
Lynne Martin, District 7 Coalition of N.A.'s, 1531 Espejo NE, Albuquerque, NM 87112

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Max height of sign limited to 30' (to the actual sign not the sign area)

New wall signs in C-3, C-2 are limited to 15% per the Zoning Code. (not the 6% indicated in the plan)

Office of Neighborhood Coordination

Altura Addition NA (R)

Alvarado Park NA (R)

District 7 Coalition of NA's

10/5/09 – Recommended for facilitation – siw

10/7/09 – Assigned to Tonya Covington - swatson

Long Range Planning

CITY ENGINEER

Transportation Development Services

- Since an Administrative Amendment has already been approved for the interior and exterior remodel and the current request before the EPC is to amend the Site Development Plan for Building Permit to allow for building signage, Transportation Development has no comments.

Traffic Engineering Operations

Hydrology

- The Hydrology Section has no adverse comments on the site plan.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

- Reviewed, and no comments regarding on-street bikeways, off-street trails or roadway system facilities.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT
and NMDOT:**

Conditions of approval for the proposed Site Development Plan for Building Permit Amendment shall include:

- a. None.

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Reviewed, no objection. Request does not affect our facilities.

Open Space Division

Open Space has no adverse comments

City Forester

No comments

POLICE DEPARTMENT/Planning

John Carrillo Northeast Substation
9201 Osuna Rd. NE

No Crime Prevention or CPTED comments concerning the proposed site development amendment at this time.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

NO ADVERSE COMMENTS, WILL USE EXISTING REFUSE LOCATION

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Adjacent and nearby routes	Route #140/141, San Mateo route pass the site on San Mateo in both the north and south direction.
Adjacent bus stops	The nearest bus stop from the site is located on San Mateo, approximately 400 ft. from the northeast corner of the property.
Site plan requirements	None
Large site TDM suggestions	N/A
Other information	None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

This will result in no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

- As a condition, it is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements or agreements.
- As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances.
- As a condition, coordination with PNM's New Service Delivery Department is necessary to minimize any potential effects from development on existing electric infrastructure which is located within the parking area east of the existing building. PNM will review all technical needs, issues and safety clearances for its electric power systems. Any relocation, changes or realignment of existing electric utilities will be the developer's expense. Additional protection is required around the base of the existing structure within the parking lot for safety purposes.